

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

IN RE:

THOMAS SALVADOR MARTINO,

Case No. 8:14-BK-13452

Chapter 7

Debtor.

/

MOTION FOR EXTENSION OF TIME TO FILE PROOF OF CLAIM

Pursuant to Federal Rules of Bankruptcy Procedure 3002, 9006(b)(1), and other applicable law, Savannah Capital, LLC, a creditor and party in interest individually and as fifty percent (50%) shareholder of DeVille Corp. (“Savannah”) in this Chapter 7 bankruptcy case (the “Liquidation”), hereby files this motion (this “Motion”) seeking an extension of time to file a proof of claim as to Thomas Salvador Martino (the “Debtor”), for good cause shown, and states in support as follows.

1. Savannah is a creditor of the Debtor, pursuant to its business relationship with the Debtor in connection with their interests in DeVille. The Debtor is the president of DeVille.
2. On November 14, 2014, the Debtor initiated this Liquidation by filing a voluntary petition for protection from creditors under Chapter 7 of the Bankruptcy Code.
3. Savannah did not receive notice of the initiation of the Liquidation until after December 10, 2014, when it was added as a creditor upon the filing of the Debtor’s schedules.
4. The Debtor scheduled both Savannah and DeVille as claimants in this Liquidation. According to the Debtor, Savannah has an unsecured claim for mismanagement and monies owed.
5. The 341 Meeting of Creditors was first held on December 17, 2014 and has been continued two (2) times. The latest 341 Meeting of Creditors was scheduled to continue on March 18, 2014, but was continued to coincide with a Rule 2004 examination conducted by the Chapter 7 Trustee.

6. The Trustee is currently scheduling the Rule 2004 examination of the Debtor and related parties, and Savannah has also sought and will schedule a Rule 2004 examination of the Debtor.

7. In the interim, Savannah has continued its action against DeVille in the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Case No. 2014-CA-08669 (the “Records Action”) seeking access to records of DeVille under Florida’s limited liability company statutory scheme, records that were previously withheld by the Debtor as president of DeVille.

8. In both this Liquidation and the Records Action, the Debtor has been uncooperative in turning over requested documentation to the Trustee or Savannah. Accordingly, Savannah requires additional time to file a proof of claim in this Liquidation.

9. Savannah therefore requests entry of an order granting this Motion, and granting a sixty (60) day extension of time to file a proof of claim.

WHEREFORE, Savannah respectfully requests that this Court enter an order granting this Motion and extending the deadline for Savannah to file a proof of claim sixty (60) days from the initial deadline.

/s/ Allison C. Doucette
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic means on the 23rd day of March, 2015, to the following:

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